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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/566,669	10/23/2006	Frederic Ponson	5310-09300	9953
35690 7590 02/18/2009 MEYERTONS, HOOD, KIVLIN, KOWERT & GOETZEL, P.C. P.O. BOX 398 AUSTIN, TX 78767-0398				
EXAMINER				
HOLMES, JUSTIN				
ART UNIT		PAPER NUMBER		
3655				
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/566,669

Applicant(s)

PONSON ET AL.

Examiner

JUSTIN HOLMES

Art Unit

3655

Period for Reply -- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 23 October 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-22 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-10, 13, 15, 16 and 18-22 is/are rejected.
- 7) ☒ Claim(s) 11, 12, 14 and 17 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 30 January 2006 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☒ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO/SB/08)
- Paper No(s)/Mail Date (2 docs 17/19/06)
- 4) ☐ Interview Summary (PTO-413)
- Paper No(s)/Mail Date: _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

Priority

1. Receipt is acknowledged of papers submitted under 35 U.S.C. 119(a)-(d), which papers have been placed of record in the file.

Information Disclosure Statement

2. The information disclosure statements (IDS) submitted on July 19, 2006 are being considered by the examiner.
3. Claims 1-22 are currently pending.

Claim Rejections - 35 USC § 102

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(a) the invention was known or used by others in this country, or patented or described in a printed publication in this or a foreign country, before the invention thereof by the applicant for a patent.

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

5. Claims 1, 2, 9, 13, 16, 19, 21 and 22 are rejected under 35 U.S.C. 102(a and e) as being anticipated by U.S. Publication No. 2004/0065762 to Mori et al.

The Mori et al. patent teaches a freewheel bearing device, of the type having an outer element 102, an inner element 112 placed in the outer element 102, and a freewheel 130 provided with at least one jamming element 134, placed between the inner element 112 and the outer element 102 to leave free a rotation movement in one direction between the outer element and the inner element and to transmit a torque in the other direction between the outer element and the inner element, wherein the

freewheel 130 comprises a race 92 provided with an inner cylindrical surface and an outer cylindrical surface, substantially aligned on a radial plane perpendicular to the axis of rotation of the device, and a torque limiter member 90 capable of limiting the torque transmitted by the freewheel 130, the torque limiter member 104 being placed radially between said race 92 and the outer element 102. See Figs. 1 and 3.

Regarding claims 2 and 22, the torque limiter member 90 is mounted in series with the freewheel 130 to limit the torque transmitted by the unidirectional engagement member in the torque transmission position. See Fig. 3.

Regarding claim 9, the torque limiter member 90 is placed on an outer surface of the freewheel. See Fig. 3.

Regarding claim 13, the torque limiter member 90 comprises a plurality of elastic tongues 106. See Fig. 3.

Regarding claim 16, the torque limiter member 90 comprises a body in the shape of an open ring. See Fig. 3 where the torque limiter is a semi-circular open ring portion.

Regarding claim 19, the jamming elements 130 of the freewheel are pawls. See Fig. 3.

Regarding claim 21, the torque limiter member 90 is prestressed between two separate pieces, namely, the outer member 102 and the race 92. See Fig. 3.

Accordingly, all the elements of claims 1, 2, 9, 13, 16, 19, 21 and 22 are anticipated by the Mori et al. patent.

6. Claims 1, 3-6, 10, 15, 18 and 20 are rejected under 35 U.S.C. 102(b) as being anticipated by U.S. Publication No. 2003/0051960 to Li et al.

The Li et al. patent teaches a freewheel bearing device, of the type comprising an outer element 40, an inner element 44 placed in the outer element 40, and a freewheel 71 provided with at least one jamming element 74, placed between the inner element 44 and the outer element 40 to leave free a rotation movement in one direction between the outer element 40 and the inner element 44 and to transmit a torque in the other direction between the outer element and the inner element, wherein the freewheel 71 comprises a race 46 provided with an inner cylindrical surface and an outer cylindrical surface, substantially aligned on a radial plane perpendicular to the axis of rotation of the device, and a torque limiter member 60 capable of limiting the torque transmitted by the freewheel 71, the torque limiter member 60 being placed radially between said race 46 and the outer element 40. See Fig. 2.

Regarding claims 3 and 4, the torque limiter member 60 comprises at least one friction element 64 having a radial friction surface. See Fig. 2.

Regarding claim 5, the friction element 64 comprises an axial friction surface delimited by two radial planes. See Fig. 2.

Regarding claim 6, a bearing 29 allowing the outer element 41 to rotate relative to the inner element 44. See Fig. 2.

Regarding claim 10, the torque limiter member 60 is placed in a bore 46 of the freewheel. See Fig. 2.

Regarding claim 15, the torque limiter member 60 comprises at least one friction ring 64 and an elastic washer 66 for placing the friction ring 64 bearing axially on a friction surface 62. See Fig. 2.

Regarding claim 18, the freewheel comprises a spring 71 provided with an end fixedly attached to the torque limiter member 60 and coils in friction contact on the inner element 44. See Fig. 2.

Regarding claim 20, the torque limiter member 60 comprises a friction element 64 and an element 66 for prestressing the friction 64 element against said race 46. See Fig. 2.

Accordingly, all the elements of claims 1, 3-6, 10, 15, 18 and 20 are anticipated by the Li et al. publication.

Claim Rejections - 35 USC § 103

7. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

8. Claims 7 and 8 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Publication No. 2003/0051960 to Li et al. in view of U.S. Publication No. 2002/0148697 to Muramatsu et al.

The Li et al. publication lacks a teaching of the bearing being a rolling bearing.

The Muramatsu et al. publication teaches a rolling bearing between an inner member 2 and a race 22 of a one way clutch 20. The race 22 is positioned between the inner member 2 and the outer member 60. See Fig. 2.

Accordingly, it would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the Li et al. publication to include the rolling

bearing as taught in the Muramatsu et al. publication as it is a substitution of parts to provide the predictable result of having relative movement between two parts facilitated by a rolling bearing.

Allowable Subject Matter

9. Claims 11, 12, 14 and 17 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Conclusion

10. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. U.S. Patent No. 3,926,286 to Johnson; U.S. Patent No. 5,711,405 to Tamehira; U.S. Patent No. 6,817,457 to Monahan et al.; and U.S. Publication No. 2005/0016812 to Kohler et al. all teach various clutch devices.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to JUSTIN HOLMES whose telephone number is (571)272-3448. The examiner can normally be reached on 8:00am to 4:30pm M-F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Charles Marmor can be reached on 571-272-7095. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/JUSTIN HOLMES/
Examiner, Art Unit 3655

/Rodney H. Bonck/
Primary Examiner, Art Unit 3655